



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: October 14, 2016

To: Robert Best, Chairman, & Members, Planning Board

From: Robert Price, Assistant Planner

Subject: **Ryan Sarratori of Brown Bear Guns, LLC. (applicant) and Michael MacBrayne (owner)** — Review for acceptance and consideration of Final Approval of a home occupation to permit a gunsmithing business. The parcel is located at 20 Burt Street in the R (Residential) and Aquifer Conservation District. Tax Map 5C, Lot 103.

Background

Map 5C, Lot 103 is located at 20 Burt Street. The parcel is located in the R (Residential) and Aquifer Conservation Districts. It is approximately 0.25 acres in size and is serviced by water (MVD) and municipal sewer. The site sits at the corner of Burt Street and Friar Tuck Court and the property has a Burt Street address, but the driveway is off of Friar Tuck Court. The property is surrounded by residences.

The applicant seeks to establish a gunsmith business at the subject property. The application includes the following information about the proposal:

- Mr. Sarratori does not own the property, but he resides there and will be the only employee;
- No sign is proposed
- Hours of operation: 9:00 a.m. – 5:00 p.m., presumably 7 days a week but days are not defined on the application;
- Space to be occupied by the home occupation: 176 square feet (the residence contains 1,649 square feet of finished living space);
- All firearms will be stored inside the home and the only firearms being stored will belong to clients;
- No outside storage and no use of outbuildings for the home occupation is proposed;
- One or less customers is anticipated to visit the property each day.

The photographs provided by the applicant show a paved driveway that appears to only be able to support a maximum of two cars. The provided plan shows an area labeled “parking area” to the right of the driveway. Staff has a couple of small concerns with the parking area, and the Board should consider discussing the parking area with the applicant:

1. As evidenced by the photos, use of the parking area in its current state seems to be causing sand to track into the roadway, which could work its way into the Town’s drainage system. The Board may wish to discuss ways to prevent this from occurring.
2. Head-in parking will leave the back bumper portion of any car parked in this area within the Town’s right-of-way (which is about five feet from the edge of pavement). This, in turn, creates a potential hazard to a passing plow truck. In order to eliminate this hazard in the

winter, a car would have to be parked parallel to the roadway. The Board may wish to discuss how snow removed from this area will be stored on site.

Additionally, a previous request heard by the Board for a similar use required the use of gun safes as opposed to gun cabinets for firearm storage related to the home occupation as well as a security/alarm system. The Board may wish to discuss similar measures with this applicant.

Recommendation

Based on the information available to date, **staff recommends that the Board grant conditional final approval of the home occupation, with any conditions the Board may deem appropriate following the public hearing.**

Staff recommends considering the following conditions, as taken from the aforementioned related application heard previously, to be fulfilled within six (6) months and prior to operation of the home occupation:

1. The applicant shall provide a copy of the insurance certificate for the home occupation to the Community Development Department;
2. The applicant shall obtain, if applicable, final approvals (including Town Council if required) and any State or Federal licenses required for the operation of the home occupation and provide copies of such to the Community Development Department;
3. No ammunition related to the home occupation shall be permitted on the premises;
4. The applicant shall store any flammable materials in an appropriate "flammables cabinet";
5. The applicant shall dispose of wastes associated with the home occupation in accordance with State/Federal requirements. No discharge of hazardous liquids/chemicals shall be permitted into the Town's sewer system;
6. The applicant shall provide documentation/proof that the home occupation will utilize an appropriate security/alarm system;
7. The applicant shall provide documentation/proof that the home occupation will utilize gun safes for the storage of firearms related to the home occupation's operations.

Ec: Ryan Sarratori, applicant (thesarratorifamily@gmail.com)
Michael MacBrayne, owner (mmacbrayne@cortroninc.com)
Mark Doyle, Police Chief
Highway Division Staff

Cc: Planning Board File
Correspondence

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